

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO No. M-485 of 2015 (O&M)
(converted to petition u/s 13-B of the Hindu
Marriage, Act 1955)

Date of Decision: 14.11.2018

ASHA RANI

...Petitioner No. 1

VS.

MADAN LAL

.... Petitioner No. 2

CORAM: **HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.**
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Petitioner No. 1 in person with
 Ms. Jasmine, Advocate,
 for Mr. R.S. Modi, Advocate.

Petitioner No. 2 in person with
 Mr. I.S. Kooner, Advocate,
 for Mr. Aakash Singla, Advocate.

This appeal has arisen from the judgement and decree dated 24.09.2015 passed by the learned Additional District Judge, Patiala by which the petition filed under Section 13 of the Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act') by the appellant-wife for the dissolution of her marriage by a decree of divorce was dismissed.

During the pendency of the appeal, both the parties have decided to dissolve their marriage by way of a decree of divorce by mutual consent and in view thereof, an application was filed under Order 6 Rule 17 read with Section 151 of the CPC for amendment/conversion of the petition filed under Section 13 of the Act into a joint petition under Section 13-B of the Act. The parties have also entered into an agreement dated 29.01.2018 before the Mediation Conciliation Centre of this Court which bear signatures of both the parties. Thereafter, both the parties have recorded first motion statement on

16.03.2018 and now they have put in appearance for recording the second motion statement. We have categorically asked both of them about their intentions on dissolution of their marriage by way of mutual consent. In response thereto, both the parties have stated that they have voluntarily filed the petition under Section 13-B of the Hindu marriage Act, 1955 without any kind of coercion and undue influence. Both of them have stated that they will stick to their first motion statement recorded on 16.03.2018. The second motion statements of the parties have been recorded separately.

Thus, in view thereof, the petition filed under Section 13-B of the Act is hereby allowed and the marriage of the parties, performed on 26.01.2000 is hereby dissolved by decree of divorce by mutual consent.

Decree sheet be prepared accordingly.

[RAKESH KUMAR JAIN]
JUDGE

November 14, 2018

Ess Kay

[ANUPINDER SINGH GREWAL]
JUDGE

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No